

702 KAR 3:050. Application to exceed budget.

RELATES TO: KRS 156.031, 160.550

STATUTORY AUTHORITY: KRS 156.070, 160.550

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.031 requires that administrative regulations relating to statutes amended by the 1990 Kentucky Education Reform Act be reviewed, amended if necessary and resubmitted to the Legislative Research Commission prior to December 30, 1990; and KRS 160.550 requires that no local school district may have a deficit budget situation except for a purpose for which bonds have been voted or upon a declaration of emergency by the State Board for Elementary and Secondary Education. This administrative regulation is necessary to provide a safeguard against deficit spending by local boards of education and to establish the process for declaration of an appropriate emergency.

Section 1. The chief state school officer shall determine on the basis of evidence submitted in an application provided by the Division of School District Finance to exceed the current budget of a local board of education whether or not an emergency exists within the meaning of KRS 160.550. The chief state school officer shall examine carefully all facts pertaining to the claimed emergency and take such action as he deems appropriate, including the authority to declare an emergency in those cases where the health and safety of the pupils of the school district are placed in jeopardy or the school program disrupted.

Section 2. Any application to exceed the current budget filed under this administrative regulation, as well as any emergency declared by the chief state school officer, shall be submitted to the State Board for Elementary and Secondary Education for a final decision. (SBE 21.050; 1 Ky.R. 69; Am. 695; eff. 3-12-75; 5 Ky.R. 1082; eff. 8-1-79; 17 Ky.R. 1548; eff. 12-9-90.)